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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/735,771

12/16/2003

Akihisa Hongo

2003_1822A

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513 7590 08/06/2008

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WASHINGTON, DC 20006-1021

EXAMINER

MACARTHUR, SYLVIA

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

08/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10735771	12/16/03	HONGO ET AL.	2003_1822A

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EXAMINER

Sylvia R. MacArthur

ART UNIT	PAPER
1792	20080804

DATE MAILED:

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Commissioner for Patents

The reply filed 4/30/2008 is not fully responsive to the prior office action because of the following omission(s) or matter(s): Newly amended claims 34 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The newly amended claim is according to a different embodiment of the present invention namely that illustrated in Figures 10-12 whereas the original claims read upon Figs. 1-4.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 34, 38, 40, 41, and 54-56 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142 (b) and MPEP 821.03.

See 37CFR 1.111. Since the above-mentioned reply appears to be bona-fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Furthermore, it is unclear from claim 34 whether the power source and/or voltage are located between the anodes and cathodes. Also whether the ultrasonic transducer is between the substrate and anodes and cathodes or arranged next to the anodes and cathodes, see the different description of locations in the latter portion of claim 34. In order to expedite prosecution, applicant is invited to amend claims.

August 4, 2008

/Sylvia R MacArthur/
Primary Examiner, Art Unit 1792